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# MEMORIAL

OF THE

## SLAVE-HOLDERS CONVENTION.

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*To the Honorable,*

**RICHARD THOMAS,**

*President of the Senate of Maryland:*

**SIR:**—We respectfully request you to present the enclosed memorial to the Body over which you preside.

And are,

Your obedient servants,

**BENJ. C. HOWARD,**

**CHARLES H. PITTS,**

**TENCH TILGHMAN,**

**JOS. M. PALMER.**

**PHILIP F. THOMAS.**

*Annapolis, Jan. 15, 1842.*

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## MEMORIAL.

*To the General Assembly of Maryland:*

The memorial of the undersigned respectfully represents:

That at a meeting of citizens of Maryland, appointed, in conformity with public notice, to represent the wishes and feelings of their respective counties and cities, to thus constitute a general convention, which convention assembled in the city of Annapolis on the 12th, 13th and 14th days of January, 1842; your memorialists were appointed to address your Honorable Body upon the subject which occasioned that meeting. Its character and magnitude are well known to many, if not most, of the members of your Honorable Body, and your memorialists, acting in behalf of the convention which they represent, respectfully tender their thanks to the House of Delegates for the use of their Hall, as a place of meeting.

The object of the convention was to review the existing Code of Laws relating to our Negro Population, whether bond or free, and, by a comparison of the opinions of persons from various quarters of the State, to ascertain the best mode of remedying any deficiencies which exist in

that Code. The importance of the subject is too familiar to your Honorable Body, and has attracted the attention of the Legislature too often, to make it necessary for your memorialist to make any remarks upon that point.

The voluntary assemblage of so large a meeting as that which has just occurred, equally indicates the prevalence throughout our community of the same opinion; and the appointment of your memorialists to address your Honorable Body, manifests a general belief that the assistance of the Law-making Power is indispensable for the removal of many serious grievances. The particular points which require correction are enumerated in the annexed list, and the prayer of your memorialists is, that Laws may be passed of the character therein set forth. They forbear from the attempt to explain the reasons for each specific alteration, because the deliberations of the convention which they represent were openly conducted, and honored by the attendance of many members of both branches of the General Assembly. Your memorialists, therefore, relying upon the wisdom of your Honorable Body, and the personal experience of a large portion of its members, familiar as they are with the subject in question, respectfully pray for the enactment of such laws as are mentioned in the accompanying paper.

BENJ. C. HOWARD,  
CHARLES H. PITTS,  
TENCH TILGHMAN,  
JOS. M. PALMER,  
PHILIP F. THOMAS.

*Annapolis, January 15, 1842.*

## PROPOSITION I.

A law to prevent all manumissions by last will. Also by deed, to take effect *in future*.

## PROPOSITION II.

To prevent manumissions except upon conditions of instant transportation to some place out of the United States, and that at the expense of the manumittor.

## PROPOSITION III.

To prevent any free negro leaving the State, ever to return to it, unless he leaves as a servant of a white resident of the State and returns with him; and such resident shall first file a declaration, in the county clerk's office, of his intention to take such servant with him; or unless he shall leave the State for the purpose of visiting some one or other of the American Colonies on the coast of Africa.

## PROPOSITION IV.

To prevent all free negroes from coming into the State, except as servants of persons travelling in or through the State.

## PROPOSITION V.

To prevent the transportation of any free negro by rail roads, steam boats, or other common carriers out of the State, unless vouched for as free by some person known to the conductor of the rail road, or captain of the steam boat, and no rail road or steam boat company shall be liable for refusing to transport any free negro unless he be vouched for as above; and any person falsely vouching for the freedom of a slave to be liable to punishment. The company still to be liable for conveying away a slave as heretofore.

## PROPOSITION VI.

To offer a high reward, to be paid by the State, for the arrest and conviction of any person who aids a slave to run away, or induces, or attempts to induce a slave to run away.

## PROPOSITION VII.

That the owner of a runaway slave shall pay a reward for the apprehension of such slave; to be graduated by the distance from home where he may be caught.

## PROPOSITION VIII.

That it be recommended to the General Assembly, that they pass a law directing the courts of justice of this State, that whenever any free black shall be convicted of any offence, the punishment of which by the law as it now stands, would be confinement in the penitentiary, that it shall be the duty of the court to order the convicted party to be sold out of the State, for the period that they, in their discretion, might confine him in the penitentiary; and that if any free person or persons of colour be convicted of any misdemeanor or misdemeanors other than those which subject the party convicted to confinement in the penitentiary, that then the convicted party shall be punished by sale or banishment in the discretion of the court, out of the State of Maryland, for a period not less than six months nor more than — years, with a provision that after the period of banishment or sale has expired, the said negroes shall not be

permitted to return to this State, and that in case of doing so, such negroes shall be liable to be sold as slaves for life beyond the limits of the State.

PROPOSITION IX.

So much of the act of 1831, as allows a manumitted negro (with a certificate,) to remain in the State to be repealed.

PROPOSITION X.

No free negro to have in his possession a gun, pistol, sword or other offensive weapon.

PROPOSITION XI.

• That the Judges of the County Courts, and City Court of Baltimore, appoint bailiffs monthly, to attend the arrival and departure of every rail road car and steamboat, or other public vehicle of transportation, to carry these laws into effect; to compensate them by a portion of the penalty imposed.

PROPOSITION XII.

That all free negroes shall be obliged to register themselves, on or before the 15th of July next, and every twelve months thereafter, in the office of the clerk of the county, where they shall surrender their old certificates; and the clerk upon request, and being satisfied that any free negro thus registered desires to remove from the county, either temporarily or permanently, shall furnish him or her with a certificate of his registration; and if said negro shall remove permanently, he shall file said certificate within ten days after his arrival in the county to which he may remove; and if his absence shall be temporary, he shall return said certificate to the clerk from whom he received, within five days after his return; and no certificate of freedom of an older date shall be good; and the clerk shall annually publish a list of those registered in some convenient newspaper, and send a printed copy to the Secretary of State.

PROPOSITION XIII.

That the State pay the expense of any case which may arise in any State, where the State Law may conflict with the Act of Congress of 1793, to test the constitutionality of such law.

PROPOSITION XIV.

To avoid all sales or gifts hereafter to be made, of slaves, to free negroes and mulattoes, the slave so sold or given, to be liable to be sold out of the State, and the master so selling punishable by fine, in the discretion of the court.

PROPOSITION XV.

That an additional provision be made to the act of 1835, chap. 325, to make it *prima facie* evidence of circulating such papers, as are mentioned in the act of 1835, chapter 325, that the same have been found in the possession of any one within the State.

PROPOSITION XVI.

That every free negro shall give responsible security annually for his or her good behavior.—If such security be not given, such negro so failing, to be brought before some justice of the peace, by a constable or any other person, who shall cause him to be hired out, and out of his

accruing wages, pay the constable or person \$10; and in case said negro thus hired out shall abscond from service, upon his apprehension he shall be sold out of the State.

**PROPOSITION XVII.**

An act to render penal the omission of sheriffs, magistrates and constables to enforce all laws respecting free negroes and slaves; and every constable, before he proceeds to act, shall take an oath, well and faithfully to execute all the laws of the State.

**PROPOSITION XVIII.**

Free negroes with real estate, to have it sold at their death, and the proceeds to be distributed to their legal representatives; and hereafter, no free negro to be allowed to hold real estate, or leasehold interest which shall have longer than a year to run.

**PROPOSITION XIX.**

That all free negroes who have been bound out within the last two years, shall be free whenever they shall determine to leave the State, by paying to the master such sum as the Orphans court shall adjudge; and that it shall be the duty of the Orphans courts of the several counties in the State, and city of Baltimore, from and after the first of January 1844, to bind out, at the age of 8 years, the children of all free negroes then in the State, to serve until they arrive at the age of 21 years for males, and 18 for females. The master shall give security to be approved by the Orphans court, to pay to the child, when it arrives at the ages of 21 and 18, the sum of \$75 for males, and \$25 for females, provided the said child shall leave the State; or if previous to the child's arriving at the age of 21 or 18, as the case may be, it shall consent to leave the State, or its parents shall remove out of the State, then the master shall give up such child, and if it has served more than 8 years, the master shall pay to the child or its parents, such sum as the Orphans court shall determine.

**PROPOSITION XX.**

That no meeting of negroes for any purpose shall be permitted after sunset; and all laws inconsistent with provision, to be repealed.

**PROPOSITION XXI.**

That if any free negro who may have a license from any Christian denomination, either to preach or exhort, shall hold or attend any meeting prohibited by law, he shall for the first offence be subject to a fine and imprisonment, and for the second offence be sold out of the State.

**PROPOSITION XXII.**

Any retail dealer, who shall sell or give to any negro, slave or free, or the agent of any such negro, any spirituous liquor or wine, or shall otherwise, directly or indirectly, furnish intoxicating drink to or for a negro, to be liable to a fine of \$100, one half to be paid to the informer.

**PROPOSITION XXIII.**

To repeal the provisions of the act of 1825, chapter 15, as far as inconsistent with this provision. Any person or persons who shall persuade or entice, aid or assist a slave to run away from his master, owner or employer, and any person or persons who shall harbor or conceal a

slave or slaves, knowing him or them to be runaways—and the fact of his or their being on the premises owned, rented or occupied by a free negro or negroes, shall be *prima facie* evidence of such knowledge—shall be liable to be indicted, and upon conviction shall, if white, undergo a confinement in the penitentiary for a period not less than—years; and if such person shall be a free negro, and convicted of this offence, he shall be sold out of the State, and the whole of the proceeds of such sale to go to the informer, who shall be a competent witness in an action against such negro or negroes; and if such negro be a slave for life or a term of years, he shall, upon conviction, be sold out of the State, and his full value to be paid to the owner.

PROPOSITION XXIV.

To repeal that part of the second section of the act of 1833, chapter 224, "entitled an act relating to persons of color who are to be free after a term of years" which says—"that the party applying for such grant, has distinctly and particularly notified such servants of the existence and effect of this law, and that this information has failed to correct his or her habits, before they proceed to issue any such grant of authority."

PROPOSITION XXV.

That each and every hawker and pedlar shall be made to pay at the rate of the sum of two hundred dollars a year, for a license to trade as such.

*Resolved*, That a committee of five members of the Convention, be appointed by the chair to prepare a memorial to the Legislature, in the foregoing propositions.

Whereupon, the chair appointed the following gentlemen to compose said committee, viz:

Gen. B. C. HOWARD,  
CHARLES H. PITTS,  
JOS. M. PALMER,  
TENCH TILGHMAN, and  
P. F. THOMAS, Esquires.

